

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS**

REID FRIEDMAN, on behalf of himself and
all others similarly situated,

Plaintiff,

vs.

PENSON WORLDWIDE, INC., PHILIP A.
PENDERGRAFT, KEVIN W. MCALLEER,
ROGER J. ENGEMOEN, DANIEL P. SON,
THOMAS R. JOHNSON, BDO SEIDMAN,
LLP and BDO LLP, USA,

Defendants.

Case No.: 11-cv-02098-O

**NOTICE OF MOTION AND MOTION OF: (1) LEAD PLAINTIFF FOR FINAL
APPROVAL OF PROPOSED CLASS ACTION SETTLEMENT AND (2) PLAN OF
ALLOCATION OF SETTLEMENT PROCEEDS; AND (3) CO-LEAD COUNSEL FOR
AN AWARD OF ATTORNEYS' FEES AND REIMBURSEMENT OF EXPENSES**

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TO: ALL PARTIES AND THEIR COUNSEL OF RECORD

Pursuant to Rule 23 of the Federal Rules of Civil Procedure and the Court's May 13, 2013 Order (ECF No. 83), Lead Plaintiff Reid Friedman ("Lead Plaintiff") will and hereby does move this Court on August 23, 2013, at 9:00 a.m. at the United States Courthouse, 1100 Commerce Street, Dallas, Texas, for an order: (1) granting final approval of the proposed class action settlement, (2) approving the plan of allocation of settlement proceeds; and (3) approving Co-Lead Counsel's motion for an award of attorneys' fees and reimbursement of expenses.

The following documents shall be submitted to the Court in support of Lead Plaintiff's motion: 1) Memorandum of Law in Support Motion for Final Approval of Class Action Settlement and Plan of Allocation; 2) Memorandum of Law in Support of Motion for Award of Attorneys' Fees and Reimbursement of Expenses; 3) Declaration of Jeffrey P. Campisi in Support of (1) Lead Plaintiffs' Motion for Final Approval of Proposed Class Action Settlement and (2) Plan of Allocation of Settlement Proceeds; and (3) Co-Lead Counsel's Motion for an Award of Attorneys' Fees and Reimbursement of Expenses; 4) Appendix to the Memorandum of Law in Support of Motion for Final Approval of Class Action Settlement and Plan of Allocation; and Memorandum of Law in Support of Motion for Award of Attorneys' Fees and Reimbursement of Expenses; 5) a proposed Order Granting Co-Lead Counsel's Motion for Award of Attorneys' Fees and Reimbursement of Expenses; and 6) a proposed Order Approving Plan of Distribution.

A Proposed Final Judgment was submitted with Lead Plaintiff's Motion for (I) Preliminary Approval of Settlement; (II) Preliminary Certification of the Settlement Class; (III) Approval of Form and Manner of Notice; and (IV) Appointment of Settlement Administrator (ECF No. 77, at 76-82). The proposed Orders granting Co-Lead Counsel's Motion for Award of

Attorneys' Fees and Reimbursement of Expenses and Approving Plan of Distribution are being concurrently submitted to the Court via email pursuant to the Court's individual rules of practice.

DATED: July 24, 2013

/s/ Jeffrey P. Campisi

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CERTIFICATE OF SERVICE

I hereby certify that on July 24, 2013, I caused the foregoing to be electronically filed with the Clerk of the Court using the CM/ECF system that will electronically send notification of such filing to all counsel of record.

Executed on July 24, 2013 in New York, New York.

/s/ Jeffrey P. Campisi

Jeffrey P. Campisi